

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SERGEI KOVALEV,	:	
Plaintiff	:	CIVIL ACTION
v.	:	
	:	
HOME DEPOT U.S.A., INC. et al.,	:	No. 22-465
Defendants	:	

ORDER

AND NOW, this 21st day of March, 2023, upon consideration of Defendant Craig Menear's Motion to Dismiss for Failure to State a Claim (Doc. No. 35), and Plaintiff's Response (Doc. No. 42), for the reasons set forth in the accompanying omnibus memorandum of this date, it is **ORDERED** that the Motion to Dismiss (Doc. No. 35) is **DENIED** as moot.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE